

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

Michael Koziara, Plaintiff, v. BNSF Railway Co., Defendant.	Case No. 13-cv-834-jdp PLAINTIFF’S PROPOSED VOIR DIRE
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1. Statement of the case (for the Court’s Standard Voir Dire Questions).

This is a Federal Railroad Safety Act (“FRSA”) case.

The plaintiff is Michael Koziara (“Koziara”), who worked for Defendant BNSF Railway Co. (“BNSF”) for over 32 years. In 2010, Koziara suffered what he alleges was a workplace injury. BNSF, in turn, suspended and then terminated Koziara. Koziara alleges BNSF would not have suspended and then terminated him had he not reported a work-related injury. BNSF disputes that Koziara’s injury was work-related and disputes that it would not have suspended and then terminated Koziara absent his injury report.

**PLAINTIFF’S PROPOSED ADDITIONAL QUESTIONS
TO EACH PROSPECTIVE JUROR**

1. Have you spent any time in or around La Crosse, Wisconsin? If so, please describe.
2. If you have served as a juror before:
 - a. Did you serve in federal or state court?
 - b. When?
 - c. What type of case was involved (civil/criminal, brief description of subject matter)?
 - d. What was the verdict in the case?

3. Have you ever owned or held a leadership position in a company? How big was the company? Describe this experience.
4. If you have children, are they employed? Where? What are their job duties?
5. If you are not married or in a domestic partnership, do you live with a partner (i.e., girlfriend/boyfriend)? If so, are they employed? Where? What are their job duties?
6. Are you employed? By whom? How many employees does the company have? What are your job duties?
7. Does your company have a policy regarding reporting work-related injuries? Describe it. Is it part of your job duties to implement the policy?
8. Have you or has any close friend or family member ever been injured while at work? Please explain.
9. Do you either directly or indirectly supervise employees? In what capacity? Do you have hiring and firing responsibilities? Are you responsible for investigating complaints?
10. Have you ever worked in a personnel department or human resources department?
11. Have you or any close friend or family member ever belonged to a union? If so, describe.
12. Have you or has anyone you know worked for Defendant? Please explain.
13. Have you ever worked for or with a railroad? Please explain.
14. Do you believe there is such thing as retaliating against someone for reporting a work-related injury? What do you consider to be retaliation? What do you think would be evidence of retaliation?

PLAINTIFF'S PROPOSED ADDITIONAL QUESTIONS TO THE PANEL

15. Does anyone think there are too many lawsuits or too many lawyers? If so, why?
16. Have you or has anyone you know ever been subjected to any form of discrimination or retaliation? What were the circumstances and the result?
17. Have you or has anyone you know ever been accused of retaliating against someone? What were the circumstances and the result?
18. Have you or has anyone you know sued, been sued, or participated in a lawsuit based upon the FRSA or other employment laws?

19. A corporate employer acts through its authorized employees, such as supervisory employees. Does anyone have any problem with the law holding a business liable for the statements and actions of its employees who are acting in the course of their job duties?
20. Is there anyone who really does not want to be here today? If so, why?

Dated: January 30, 2015

NICHOLS KASTER, PLLP

s/ Nicholas D. Thompson

James H. Kaster (WI# 1001474)

kaster@nak.com

Matthew H. Morgan (MN #304657)

morgan@nka.com

Nicholas D. Thompson (WI #1078903)

nthompson@nka.com

4600 IDS Center

80 South Eighth Street

Minneapolis, Minnesota 55402-2242

Telephone: (612) 256-3200

Fax: (612) 338-4878

ATTORNEYS FOR PLAINTIFF